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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA – NORTHERN DIVISION**

10 TESORO REFINING & MARKETING
11 COMPANY LLC, a Delaware limited liability
company,

12 Plaintiff,

13 v.

14 ALANDDON LLC, a Nevada limited liability
company; KIM FIEGEHEN, as Guardian ad
Litem for DONALD A. LEHR, individually;
15 VALARIE M. LEHR, individually; and KIM
FIEGEHEN, as Guardian ad Litem, for ALLAN
16 G. FIEGEHEN, individually.

17 Defendants.
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CASE NO.: 3:19-cv-00449-LRH-WGC

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
RESPONSE TO DEFENDANT’S MOTION
FOR PARTIAL SUMMARY JUDGMENT
(ECF No. 46) – FOURTH REQUEST**

25 Plaintiff TESORO REFINING & MARKETING COMPANY LLC (“Tesoro”), by and
26 through its attorneys of record, the law firm of LITCHFIELD CAVO LLP, and ALANDDON LLC,
27 VALARIE M. LEHR, and KIM FIEGEHEN, as Guardian Ad Litem, for ALLAN G. FIEGEHEN and
28 DONALD A. LEHR (collectively referred to as “Defendants”) by and through their attorneys of

1 record, the law firm of ALLISON MACKENZIE, LTD., do hereby stipulate and agree as follows:

2 1. Plaintiff filed its first amended complaint on November 15, 2019 (ECF No. 17).

3 2. Defendants filed their answer to the amended complaint on May 29, 2020 (ECF 32).

4 3. The current deadlines, pursuant to the stipulated discovery plan and scheduling order –
5 fourth request are: Discovery Cut-Off – June 14, 2021; Amend the pleading or add parties – February
6 26, 2021; Initial Expert Disclosure: February 14, 2021; Rebuttal Expert Disclosure: March 15, 2021;
7 Dispositive Motion Deadline: July 19, 2021 and Joint Pre-Trial Order: June 29, 2021.

8 4. On December 23, 2020, Defendants filed their Motion for Partial Summary Judgment
9 on Plaintiff's Second Claim for Relief (Breach of Contract against Guarantors)(the "MPSJ")(ECF No.
10 46).

11 5. Plaintiff's response to Defendants MPSJ is due June 7, 2021 pursuant to Court Order
12 (ECF No. 73).

13 6. On January 19, 2021, Defendants filed their Motion for Protective Order that Allan G.
14 Fiegehen Not Be Deposed (ECF No. 50) and Motion for Protective Order that Donald Lehr Not Be
15 Deposed (ECF No. 51) (the "Motions for Protective Orders").

16 7. Plaintiff filed its response to the Defendants' Motions for Protective Orders ECF No.
17 50 and ECF No. 51 on March 16, 2021.

18 8. Defendants filed their Reply in Support Motions for Protective Orders on March 23,
19 2021. (ECF 64 and 65).

20 9. The hearing for Motions for Protective Orders was held on April 15, 2021. The court
21 denied Defendants' Motions for Protective Orders ECF No. 50 and ECF No. 51 and will allow Plaintiff
22 to depose Mr. Fiegehen and Mr. Lehr subject to certain limitations as agreed upon at the April 15,
23 2021 hearing. (Minutes of Proceedings, ECF 69).

24 10. Defendants' counsel agreed that Plaintiff's response to Defendants' MPSJ (ECF No.
25 46) shall be not be due until after the depositions of Mr. Fiegehen and Mr. Lehr are conducted.

26 11. Mr. Fiegehen's deposition is scheduled for June 9, 2021 and Mr. Lehr's deposition is
27 scheduled for June 10, 2021.

28 12. Both counsel agree that Plaintiff's response to Defendants' MPSJ will be due no later

1 than July 2, 2021 to allow time Plaintiff time to conduct the depositions of Mr. Fiegehen and Mr. Lehr.

2 13. This is Plaintiff's fourth request for an extension in regard to Defendant's MPSJ (ECF
3 No. 46).

4 **IT IS SO STIPULATED.**

5 Dated: May 18, 2021

LITCHFIELD CAVO LLP

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16 Attorneys for Plaintiff

12 Dated: May 18, 2021

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23 Attorneys for Defendants

21 **IT IS SO ORDERED** that the deadline for Plaintiff to file its response to Defendant's MPSJ
22 (ECF No 46) is July 2, 2021.

23 DATED this 24th day of May, 2021.

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25 LARRY R. HICKS
26 UNITED STATES DISTRICT JUDGE
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